

Applicant(s):

Carlucci et al.

Serial No.:

10/811,322

Filed:

March 26, 2004

For:

A DISPENSING APPARATUS FOR RECEIVING A

NUMBER OF DIFFERENTLY SIZED FOAM CANNISTERS

Art Unit:

3754

Examiner:

Not yet assigned

Confirmation No.:

9464

Customer No.:

27623

Attorney Docket No.:

884.0221USU

Date: December 16, 2004

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with applicants' duty of disclosure under 37 C.F.R. §1.56, we are enclosing form PTO-1449 listing information that may be material to the patentability of this application.

Cited in the attached PTO-1449 are:

U.S. Patent Nos. 3,207,369; 3,358,885; 3,518,410; 3,559,850; 3,576,279;

3,578,945; 3,593,894; 3,596,056; 3,644,707; 3,710,978; 3,710,985; 3,712,512;

 $3,722,753;\ 3,733,460;\ 3,749,880;\ 3,752,155;\ 3,758,002;\ 3,790,033;\ 3,804,537;$ 

3,823,851; 3,843,022; 3,846,614; 3,891,827; 3,896,973; 3,914,576; 3,917,121;

3,933,276; 3,990,612; 3,997,083; 4,000,834; 4,024,987; 4,027,786; 4,046,289; 4,056,707; 4,067,480; 4,069,949; 4,094,446; 4,140,247; 4,349,131; 4,544,085; 4,595,131; 4,624,395; 4,968,166; 4,971,229; 4,974,319; 5,289,951; 5,513,771; 5,524,792; 5,320,250; 5,590,582; 5,700,991; 5,747,102; 5,780,819; 5,786,573; 5,803,317; 5,811,766; 5,832,178; 5,913,455; 5,950,867; 5,979,796; 6,003,733; 6,016,935; 6,056,160; 6,098,524; 6,179,162; 6,204,485; 6,253,957; 6,311,868; 6,361,752; and 6,415,957.

Pursuant to the waiving of the requirement of 37 CFR 1.98 (a)(2)(i), copies of these U.S. references are not enclosed.

been deemed to be pertinent to the claimed present invention. In concluding what was pertinent, the criteria employed was considered most appropriate in light of the invention shown in the present application. However, the Examiner or others may deem some other criteria to be just as appropriate or more appropriate. Therefore, the Examiner is respectfully urged to review the listed citations and to make the usual careful independent search for other prior art that may be pertinent.

Since this Information Disclosure Statement is being filed prior to the issuance of the first Office Action based on the merits, no petition or fee is required.

Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

Charles N.J. Ruggiero

Reg. No. 28,468

Attorney for Applicant(s)

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, CT 06901-2682

(203) 327-4500



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT TRANSMITTAL FORM

Carlucci et al.

Serial No.:

10/811,322

Filed:

March 26, 2004

For:

A DISPENSING APPARATUS FOR RECEIVING A NUMBER OF

DIFFERENTLY SIZED FOAM CANNISTERS

Art Unit:

3754

Examiner:

Not yet assigned

Confirmation No.:

9464

Customer No.:

27623

Attorney Docket No.:

884.0221USU

Mail Stop Amendment **Commissioner for Patents** P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

We are enclosing:

- Information Disclosure Statement; 1.
- PTO Form 1449; 2.
- Transmittal letter in duplicate; and 3.
- 4. Postcard.

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 50-1239 in the name of Conair Corporation. A duplicate copy of this sheet is attached.

Charles N.J. Ruggiero

Date: December 17, 2004

Reg. No. 28,468

Respectfully submitted

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor Stamford, Connecticut 06901-2682

(203) 327-4500

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON DECEMBER 17, 2004.

Keysha	Whitaker
NAME	

		615 =	3	<u>\</u>						
CUSTOMER	R NO.: 27623	DEC 2 0 2	ت ا 2004				Sheet _1_	of <u>7</u> .		
FORM PTO-14	149	VLU 2 - 2	خ ي	·	Docket Number (Optional) Application Number					
Orani io i	1449 RMATION DISCLOS IN AN APPLICA	STEAT - TO AT	Vi Voy	:	884.0221USU 10/811,322					
· INFOR	RMATION DISCLOS	SURE CHÂT	ION		Applicant					
	IN AN APPLICA	ATION		Carlucci et al. Filing Date			Group Art Unit		<del></del>	
	(Use several sheets if	necessary)			March 26, 2004		3754			
	1000 0010101010		S. F	PATEN	T DOCUMENTS			·····		
EXAMINER		<u></u>	<u> </u>	,				FILING D		
INITIAL	DOCUMENT NUMBER	DATE			NAME	CLAS	S SUBCLASS	APPROF	PRIATE	
	3,207,369	Sept. 21, 1	965	Rossi						
•	3,358,885	Dec. 19, 19	967	Flowe	rs					
	3,518,410	Jun. 30, 19	970	Dillars	stone					
	3,559,850	Feb. 2, 19	71	Barkir	n et al.					
	3,576,279	Apr. 27, 1	Apr. 27, 1971		et al.	<u> </u>				
	3,578,945	May 18, 1971		Ayres et al.					_	
	3,593,894	Jul 20, 1971		Kehoe et al.						
	3,596,056	Jul. 27, 1971		Dillarstone						
	3,644,707	Feb. 22, 1972		Coste	llo					
	3,710,978	Jan. 16, 1	Jan. 16, 1973		7					
	3,710,985	Jan. 16, 1	973	Baum						
		FOR	EIG	N PAT	ENT DOCUMENTS	3	······································			
	DOCUMENT NUMBER	DATE			COUNTRY	CLAS	S SUBCLASS	Trans YES	NO NO	
	OTHE	R DOCUM	ΛΕΝ	TS (incl	uding Author, Title, Date, Per	tinent Pag	ges, Etc.)			
· · · · · · · · · · · · · · · · · · ·										
								<u>.</u>		
							·			
EXAMINER					DATE CONSIDERED					

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

OEC 2 0 2004

CUSTOMER NO.: 27623

Sheet 2 of 7.

ORM PTO-14	49		Docket Number (Optional) Application Number 10/811,322							
	MATION DICCI OC	LIDE CITATIC	NNI .	Applicant		107	011,522			
INFOR	MATION DISCLOS IN AN APPLICA	TION	ZIN	Carlucci et al.						
	11174174172107			Filing Date Group Art Unit						
	(Use several sheets if r	necessary)		March 26, 2004 3754						
		U. S	. PATEN	T DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE		NAME	CLAS	s	SUBCLASS	FILING D		
	3,712,512	Jan. 23, 197	Snider,	Jr. et al						
	3,722,753	Mar. 27, 197	3 Miles							
	3,733,460	May 15, 197	3 Ryckm	an Jr.						
	3,749,880	Jul. 31, 197	Meeks		<u> </u>					
	3,752,155	Aug. 14, 197	3 Blinof	f, Jr. et al				<u>.</u>		
	3,758,002	Sept. 11, 197	3 Doyle	et al.						
	3,790,033	Feb. 5, 1974	Ciaffor	ne						
	3,804,537	Apr. 16, 197	4 Pass							
	3,823,851	Jul. 16, 197	4 Waters	S	ļ		,			
	3,843,022	Oct. 22, 1974 Radcliff		ffe et al.						
	3,846,614	Nov. 5, 197	4 Doyle	et al.						
	3,891,827	Jun. 24,1975 Wyse								
		FORE	IGN PAT	ENT DOCUMENT	<u>s</u>					
	DOCUMENT NUMBER	DATE		COUNTRY	CLASS		SUBCLASS	Trans YES	lation NO	
								ļ		
	OTHE	R DOCUM	ENTS (incl	uding Author, Title, Date, Pe	ertinent Pa	ges, E	tc.)			
					<u> </u>					
EXAMINER				DATE CONSIDERED						
EYAMINED: Ini	tial if citation considered	whether or not o	itation is in o	onformance with MPEP §609	9; Draw lin	e thro	ugh citation if n	ot in confo	mance	
	red. Include copy of this									

**CUSTOMER NO.: 27623** 

Sheet <u>3</u> of <u>7</u>.

FORM PTO-14			Docket Number (Optional) Application Number							
	MATION DISCLOS	LIDE CITATIO		884.0221USU 10/811,322 Applicant						
INFOR	RMATION DISCLOS IN AN APPLICA		4	Carlucci et al.						
				Filing Date		Gro	up Art Unit			
	(Use several sheets if r	necessary)		March 26, 2004 3754						
		U. S.	PATEN	T DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE		NAME	CLAS	s	SUBCLASS	FILING D		
	3,896,973	Jul. 29, 1975	Morgar	1						
•	3,914,576	Oct. 21, 1975	Ciaffon	ie						
	3,917,121	Nov. 4, 1975	Ciaffon	ie						
	3,933,276	Jan. 20, 1976	Packha	m et al.						
	3,990,612	Nov. 9, 1976	Gasser							
-	3,997,083	Dec. 14, 1976	McNair	r						
	4,000,834	Jan. 4, 1977	Whiley	,						
	4,024,987	May 24, 1977	Myles							
	4,027,786	Jun. 7, 1977	Ryckm	an, Jr.			_			
	4,046,289	Sept. 6, 1977 Teranis		shi						
	4,056,707	Nov. 1, 1977	Farnam	1						
		FOREIC	SN PAT	ENT DOCUMENTS	3					
								Translation		
	DOCUMENT NUMBER	DATE		COUNTRY	CLAS	ss —	SUBCLASS	YES	NO	
	OTHE	R DOCUME!	NTS (inclu	ding Author, Title, Date, Per	tinent Pag	es, E	tc.)			
		····								
				***		-,				
		**						* **		
EXAMINER				DATE CONSIDERED						
				nformance with MPEP §609;	Draw line	throu	gh citation if no	t in confor	mance	
and not consider	ed. Include copy of this	ioitti willi next com	munication	o are approant.						

Sheet 4 of 7.

49		Docket Number (Optional) Application Number								
					10/811,322					
		)N								
III AN AFFLICA	1014				Group Art Unit					
(Use several sheets if I	necessary)				3754					
	U. S	. PATEN								
						FILING DATE IF				
DOCUMENT NUMBER				CLAS	S SUBCLASS	APPROF	PRIATE			
4,067,480	Jan. 10, 197	3 Gasse	<u>r</u>	<u> </u>						
4,069,949	Jan. 24, 197	8 Ryckr	nan, Jr.	<u> </u>						
4,094,446	Jun. 13, 197	8 Brutsr	man							
4,140,247	Feb. 20, 197	9 Rice		ļ						
4,349,131	Sept. 14, 198	2 Arabi	an							
4,544,085	Oct. 1, 1985	Frazei								
4,595,131	Jun. 17, 198	6 Ruski	n et al.							
4,624,395	Nov. 25, 198	6 Baron	et al.							
4,968,166	Nov. 6, 199	0 Ingrar	m							
4,971,229	<del>                                     </del>		lich							
4,974,319			ire, Jr. et al.							
	FORE	GN PAT	ENT DOCUMENTS	S						
						Translation				
DOCUMENT NUMBER	DATE	_	COUNTRY	CLAS	S SUBCLASS	YES	NO			
							<u> </u>			
OTHE	R DOCUME	NTS (incl	uding Author, Title, Date, Pe	rtinent Pag	jes, Etc.)					
		<u> </u>								
				-						
					· · · · · · · · · · · · · · · · · · ·					
				. 4.::		_				
	<u> </u>			1.,0						
<u> </u>			DATE CONSIDERED							
			1							
	MATION DISCLOS IN AN APPLICA  (Use several sheets if r  DOCUMENT NUMBER  4,067,480  4,069,949  4,094,446  4,140,247  4,349,131  4,544,085  4,595,131  4,624,395  4,968,166  4,971,229  4,974,319  DOCUMENT NUMBER	MATION DISCLOSURE CITATION IN AN APPLICATION  (Use several sheets if necessary)  U. S  DOCUMENT NUMBER  4,067,480 Jan. 10, 1978  4,069,949 Jan. 24, 1978  4,094,446 Jun. 13, 1978  4,140,247 Feb. 20, 197  4,349,131 Sept. 14, 198  4,544,085 Oct. 1, 1985  4,595,131 Jun. 17, 198  4,624,395 Nov. 25, 198  4,968,166 Nov. 6, 1996  4,971,229 Nov. 20, 199  4,974,319 Dec. 4, 1996  FOREI  DOCUMENT NUMBER	MATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)  U. S. PATEN  DOCUMENT NUMBER  4,067,480 Jan. 10, 1978 Gasse 4,069,949 Jan. 24, 1978 Ryckn 4,094,446 Jun. 13, 1978 Brutsr 4,140,247 Feb. 20, 1979 Rice 4,349,131 Sept. 14, 1982 Arabis 4,544,085 Oct. 1, 1985 Frazer 4,595,131 Jun. 17, 1986 Ruski 4,624,395 Nov. 25, 1986 Baron 4,968,166 Nov. 6, 1990 Ingrar 4,971,229 Nov. 20, 1990 Heim 4,974,319 Dec. 4, 1990 Magu FOREIGN PAT  DOCUMENT NUMBER  DATE	MATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)    Carlucci et al. Filing Date   March 26, 2004	MATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)    Calculated   Carlucci et al.	MATION DISCLOSURE CITATION   Applicant   Applicant   Applicant   Carlucci et al.   Filing Date   April   Applicant   Carlucci et al.   Filing Date   April   Applicant   Carlucci et al.   Filing Date   April   Applicant   Carlucci et al.   Filing Date   Applicant   Applicant   Carlucci et al.   Filing Date   Applicant   Applica	MATION DISCLOSURE CITATION   IN AN APPLICATION   IN APPLICATION   IN AN APPLICATION			

CUSTOMER NO.: 27623

Sheet <u>5</u> of <u>7</u>.

ORM PTO-14	49		Docket Number (Optional) Application Number						
•				884.0221USU		10/	811,322		
INFOR	MATION DISCLOS	URE CITATIC	N	Applicant Corlugai et al					
	IN AN APPLICA	NON		Carlucci et al. Filing Date	_	Grou	up Art Unit		
	(Use several sheets if r	necessary)		March 26, 2004		375			
			. PATEN	T DOCUMENTS		<u> </u>			
EXAMINER								FILING D	
INITIAL	DOCUMENT NUMBER	DATE		NAME	CLAS	s	SUBCLASS	APPROF	PRIATE
	5,289,951	Mar. 1, 1994	4 Burro	ws	<del> </del>				
	5,513,771	May 7, 1990	6 Cote						
•	5,524,792	Jun. 11, 199	6 Waka	bayashi et al.					
	5,320,250	Jun. 14, 199	4 La et	al.					
	5,590,582	Jan. 7, 1997	7 Weiss	3					
	5,700,991	Dec. 23, 199	7 Osber	n					<u></u>
	5,747,102	May 5, 199	8 Smith	et al.					
	5,780,819	Jul. 14, 199	8 Fabril	kant et al.					
	5,786,573	Jul. 28, 199	8 Fabril	kant et al.					
	5,803,317	Sept. 8, 199	8 Whee	eler					
	5,811,766 Sept. 22, 1998		98 Fabri	kant et al.					
		FORE	IGN PAT	ENT DOCUMENT	rs			<del>,</del>	
		2475		COUNTRY	CLAS	99	SUBCLASS	Translation YES NO	
	DOCUMENT NUMBER	DATE				33 GOBOLAGO			
								<u> </u>	<u> </u>
									<del>                                     </del>
								ļ <u> </u>	<del>                                      </del>
								ļ	<del> </del>
									<u> </u>
	OTHE	R DOCUME	ENTS (incl	uding Author, Title, Date, F	Pertinent Pa	ges, E	itc.)		
					_				
					-				
EXAMINER				DATE CONSIDERED					
				1					

CUSTOMER NO.: 27623

Sheet <u>6</u> of <u>7</u>.

FORM PTO-14			Docket Number (Optional) Application Number						
•				884.0221USU 10/811,322					
INFOR	MATION DISCLOS	URE CITATIO	N	Applicant Control					
	IN AN APPLICA	TION		Carlucci et al. Filing Date		Group Art Uni	t		
	(Use several sheets if I	necessary)		March 26, 2004 3754					
		U. S	. PATEN	T DOCUMENTS					
EXAMINER								FILING D	
INITIAL	DOCUMENT NUMBER	DATE		NAME	CLAS	S SUBCLA	ASS	APPROP	RIATE
	5,832,178	Nov. 3, 199	Schav	e					
	5,913,455	Jun. 22, 199	9 La et a	al.	ļ				
	5,950,867	Sept. 14, 199	9 Martii	ndale et al.					
	5,979,796	Nov. 9, 199	Ponzi	ani et al.					
	6,003,733	Dec. 21, 199	9 Whee	ler					
	6,016,935	Jan. 25, 200	0 Huege	erich et al.				_	
	6,056,160	May 2, 200	Carlu	cci et al.					
	6,098,524	Aug. 8, 200	0 Reese	)	<u> </u>				
	6,179,162	Jan. 30, 200	1 Motse	enbocker					
	6,204,485	Mar. 20, 200	1 Willia	ams					
	6,253,957	Jul. 3, 2001 Me		erly et al.					
		FORE	IGN PAT	ENT DOCUMENT	S				
						0.1001	• • • •	Translation	
	DOCUMENT NUMBER	DATE		COUNTRY	CLAS	SS SUBCL	.ASS	YES	NO
	OTHE	R DOCUME	NTS (incl	uding Author, Title, Date, Pe	rtinent Pa	ges, Etc.)			
			(					<del></del>	
							-		
		<u> </u>							
							_		
EXAMINER				DATE CONSIDERED					
EXAMINER									
EXAMINER: Init	ial if citation considered	, whether or not c	tation is in co	onformance with MPEP §609	; Draw line	e through citation	on if no	ot in confor	manc
	ed. Include copy of this								

Sheet \_ 7\_ of \_ 7\_\_\_. CUSTOMER NO.: 27623 · Application Number Docket Number (Optional) **FORM PTO-1449** 10/811,322 884.0221USU Applicant INFORMATION DISCLOSURE CITATION IN AN APPLICATION Carlucci et al. Group Art Unit Filing Date 3754 (Use several sheets if necessary) March 26, 2004 U. S. PATENT DOCUMENTS FILING DATE IF **EXAMINER APPROPRIATE CLASS SUBCLASS** NAME DATE **DOCUMENT** INITIAL NUMBER Krietemeier et al. Nov. 6, 2001 6,311,868 Demarest et al. Mar. 26, 2002 6,361,752 Michaels et al. 6,415,957 Jul. 9, 2002 FOREIGN PATENT DOCUMENTS Translation YES **CLASS** SUBCLASS NO COUNTRY DOCUMENT DATE NUMBER OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

**EXAMINER** 

DATE CONSIDERED